

R E M A R K S

In the Office Action dated February 17, 2009, claims 1, 8 , 11 and 12 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. All of the items in those claims that the Examiner considers to render those claims indefinite have been cancelled or revised, and all claims are therefore submitted to be in full compliance with all provisions of §112, second paragraph.

Claims 1, 8, 11 and 12 also were rejected under 35 U.S.C. §103(a) as being unpatentable over Shiraishi in view of Gregerson et al.

As before, the Examiner is considering the gantry disclosed in the Gregerson et al. reference as corresponding to the “remote device” in the aforementioned independent claims. In response to the previous Office Action wherein this same rejection was made, Applicant argued that a person of ordinary skill would not consider a gantry in a medical imaging system to be a ‘remote device’ because those of ordinary skill in the field of medical imaging consider a gantry of the type disclosed in the Gregerson et al. reference to be the core of the permanently installed device, rather than some type of “external device.”

In response to these arguments, the Examiner stated that in the Shiraishi reference at page 3, operation of the gantry and the console are considered to be two separate devices, which can be purchased by separate vendors. The Examiner therefore stated that the connection between these two devices is not permanent because the operation console or the gantry can be replaced. The Examiner stated the gantry is thus not always connected to the components as suggested by the Applicant.

Applicant, of course, acknowledges that any electrical connection can be disconnected, and that any component of a permanently installed installation can, with effort, be removed and replaced. This does not, however, alter the fact that those of ordinary skill in the field of medical imaging would never consider a gantry to be a “remote device” with regard to a permanently installed medical imaging system, even if the gantry could, under certain circumstances, be disconnected from one or more of the other components of the permanently installed system. Simply because a particular component can, under certain circumstances, be disconnected and replaced from the overall permanently installed installation does not cause a person of ordinary skill in the field of medical imaging to then consider that component to be a “remote device.” The adjective “remote” in this context is always used by those of ordinary skill in the field of medical imaging to refer to some type of device that is not always needed for every imaging procedure, such as a contrast agent injector, and would not consider a “remote device” to mean a core component of the apparatus that is always and necessarily used in every imaging procedure, such as the gantry disclosed in the Gregerson et al. reference.

Nevertheless, each of the aforementioned independent claims has been amended to explicitly state that the permanently installed components include an immobilely mounted medical imaging scanner. The gantry in the Gregerson et al. reference clearly falls within that definition, and therefore the gantry in the Gregerson et al. reference can *only* be considered as falling within the explicitly described description of the permanently installed components in the independent claims. Therefore, the gantry in the Gregerson et al. reference is not, by definition, a

"candidate" for being equated with the "remote device" in the independent claims of the present application.

Since the gantry in the Gregerson et al. reference obviously cannot be connected to itself, as would be the case if, by virtue of being a "immobilely mounted medical imaging scanner" it must be considered as one of the permanently installed components, and each of the claims explicitly state that the "remote device" is connected to at least one of the permanently installed components. The gantry in the Gregerson et al. reference cannot satisfy both descriptions.

Therefore, none of the independent claims would have been obvious to a person of ordinary skill in the field of designing and servicing medical imaging systems, under the provisions of 35 U.S.C. §103(a), based on the teachings of Shiraishi and Gregerson et al.

Claim 2 was rejected under 35 U.S.C. §103(a) based on the above combination, further in view of Fratt, claims 3 and 13-15 were rejected under §103(a) based on the initial combination, further in view of Bonissone et al. Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over the initial combination further in view of Dell, as were claims 6, 7, 9 and 10.

The above arguments are equally applicable to these rejections as well. These dependent claims add further structure or method steps to the independent claims, and would not have been obvious to a person of ordinary skill in the field of designing and servicing medical imaging systems for the same reasons discussed above in connection with the independent claims.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Submitted by,

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